

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am an original, first and sole/joint inventor of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled **STEP-BACK ELIMINATING TAPERED DENTAL CUTTING INSTRUMENTS FOR IMPROVED ROOT CANAL TREATMENT AND METHOD**, the specification of which was filed on January 5, 1999 as Application Serial No. 09/225,879. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this Application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 C.F.R. §1.56 (a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C §112, I acknowledge the duty to disclose material information as defined 37 C.F.R. §1.56 (a) which

U.S. Patent Application Serial No. 09/225,879

Title: STEP-BACK ELIMINATING TAPERED DENTAL CUTTING INSTRUMENTS FOR
IMPROVED ROOT CANAL TREATMENT AND METHOD

Applicant: Nelson J. Wong and John W. Montgomery

Docket No.: 116979-1005

Declaration and Power of Attorney

Page 2

occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

NONE

I hereby appoint:

| | |
|---------------------|-----------------|
| Michael A. O'Neil | Reg. No. 23,007 |
| Monty L. Ross | Reg. No. 28,899 |
| Philip G. Meyers | Reg. No. 30,478 |
| John W. Montgomery | Reg. No. 31,124 |
| Theodore F. Shiells | Reg. No. 31,569 |
| Kay Lyn Schwartz | Reg. No. 39,020 |

all of the firm GARDERE & WYNNE, L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications based thereon in any foreign country or before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:

John W. Montgomery
GARDERE & WYNNE, L.L.P.
1601 Elm Street, Suite 3000
Dallas, Texas 75201-4761

Direct Telephone Calls To:

John W. Montgomery
at (713) 276-5941
Atty Docket No. 116979-1005

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

U.S. Patent Application Serial No. 09/225,879

Title: STEP-BACK ELIMINATING TAPERED DENTAL CUTTING INSTRUMENTS FOR
IMPROVED ROOT CANAL TREATMENT AND METHOD

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fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of the sole/first inventor:

Nelson J. Wong

Inventor's Signature:



Date:

✓ 4-6-99

Residence (City, State):

Plano, Texas

Citizenship:

U.S.

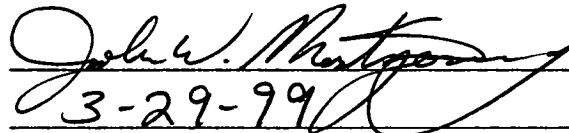
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Full name of the second/joint inventor:

John W. Montgomery

Inventor's Signature:



Date:

3-29-99

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Citizenship:

U.S.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

**Nelson J. Wong and
John W. Montgomery**

CIPE JC569
APR 19 1999
PATENT & TRADEMARK OFFICE

Group Art Unit: 3732

Serial No. 09/225,879

Filed: January 5, 1999

**For: STEP-BACK ELIMINATING TAPERED
DENTAL CUTTING INSTRUMENTS
FOR IMPROVED ROOT CANAL
TREATMENT AND METHOD**

Examiner: Unknown

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS --
INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR §1.9 (c) for purposes of paying reduced fees under Sections 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention, entitled: STEP-BACK ELIMINATING TAPERED DENTAL CUTTING INSTRUMENTS FOR IMPROVED ROOT CANAL TREATMENT AND METHOD described in the specification and claims filed on January 5, 1999 and assigned Serial No. 09/225,879.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR §1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR §1.9 (d) or a nonprofit organization under 37 CFR §1.9 (e).

U.S. Patent Application Serial No. 09/255,879
Title: Step-Back Eliminating Tapered Dental Cutting Instruments
for Improved Root Canal Treatment and Method
Applicant: Nelson J. Wong and John W. Montgomery
Docket No.: 116979-1005
Verified Statement Claiming Small Entity Status - Independent Inventor
Page 2

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.



Nelson J. Wong

4-6-99

DATE